

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

---

WILLIAM J. CHATMAN,

Plaintiff,

v.

RAIDER EXPRESS, INC.  
and DENNIS WINSTON,

Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Case No. 1:15-cv-1098

---

**NOTICE OF REMOVAL OF CIVIL ACTION**

---

TO: Thomas R. Greer  
Austin Fleming  
BAILEY & GREER, PLLC  
6256 Poplar Avenue  
Memphis, TN 38119

Pursuant to 28 U.S.C. Section 1446(d), the Defendant, ***RAIDER EXPRESS, INC.***, by and through counsel of record, Glassman, Wyatt, Tuttle & Cox, P.C., files this Notice of Removal of the above civil action, and as basis for said removal would show as follows:

1. Removing party, RAIDER EXPRESS, INC., is a named Defendant in the above entitled action.

2. This matter was originally filed in the Circuit Court of Madison County, Tennessee, on the 30<sup>th</sup> day of March, 2015, under Docket No. C-15-122. A copy of the original Complaint and Notice of Constitutional Attack on Tennessee Statutes filed in the Circuit Court of Madison County, Tennessee, are attached to this Notice of Removal.

3. On or about April 13, 2015, the Defendant, Raider Express, Inc., received the

Summons and Complaint from the Circuit Court of Madison County, Tennessee, via personal service.

4. To the knowledge of removing Defendant, Raider Express, Inc., the Defendant driver, Dennis Winston, has not of this date been served with a copy of the summons and complaint. However, as there is no dispute that he was on or about the business of and an agent for removing Defendant, Raider Express, Inc., he will be represented by the undersigned counsel upon being properly served.

5. Based on a review of the file by the undersigned counsel for removing Defendant, the Complaint and Summons, and Notice of Constitutional Attack on Tennessee Statutes are the only pleadings filed in the cause to date.

6. Since the date of service, no further proceedings have taken place in the Madison County, Tennessee Circuit Court action.

7. The amount in controversy, exclusive of interest and costs, allegedly exceeds the sum of \$75,000.00. In the complaint, Plaintiff, William J. Chatman, is suing for \$5,000,000.00, and is claiming permanent personal injury along with pain and suffering, medical expenses and loss of earnings and earning capacity. Defendant is aware that Plaintiff was hospitalized for a lengthy period of time after the accident and that his medical expenses are extensive. Removing Defendant does not concede that the value of the case is in excess of \$75,000.00, but given the allegations in the Complaint, a prima facie case for removal is set forth therein

8. Plaintiff is presently, and was at the time the Complaint was filed, a resident of Jackson, Madison County, Tennessee.

9. The Defendant, Raider Express, Inc., is presently, and was at the time the Complaint was filed, a corporation organized and incorporated under the laws of the State of Texas with its principal place of business being in Fort Worth, Tarrant County, Texas.

10. The Defendant, Dennis Winston, is, upon information and belief, presently, and was at the time the Complaint was filed, a resident citizen of Boyd, Wise County, Texas.

11. This action is a civil action for personal injuries as a result of a motor vehicle accident occurring in Madison County, Tennessee, on June 10, 2014.

12. This Court has original jurisdiction of this action pursuant to 28 U.S.C. Section 1332(a)(1) and (c) as the suit is between citizens of different states, and as the amount in controversy allegedly exceeds the sum of \$75,000.00 exclusive of interests and costs.

13. This Notice of Removal is being filed with this Court within 30-days of service on the removing Defendant, Raider Express, Inc.

**RESPECTFULLY SUBMITTED,**

*COUNSEL FOR DEFENDANT,  
RAIDER EXPRESS, INC.*

s/Carl Wyatt  
CARL WYATT, #12304  
**Glassman, Wyatt, Tuttle & Cox, P.C.**  
26 North Second Street  
Memphis, Tennessee 38103  
[cwyatt@gwtclaw.com](mailto:cwyatt@gwtclaw.com)  
P: 901-527-2143  
F: 901-527-5320  
(Our File No. 14-219Z)

**CERTIFICATE OF SERVICE**

I hereby certify that on April 29, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system.

A true and correct copy of the foregoing pleading has been served via Email and United States Mail, postage prepaid, upon the following:

Thomas R. Greer  
Austin Fleming  
BAILEY & GREER, PLLC  
6256 Poplar Avenue  
Memphis, TN 38119  
Counsel for Plaintiff

s/Carl Wyatt  
CARL WYATT